

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-7, 9, 13-33, and 35-40 are pending in the application, with claims 1, 17, 26, and 37 being the independent claims. Claims 1, 5, 17, 26, 30, and 37 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Objection to the Specification and Rejections under 35 U.S.C. § 112

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the Office Action states that the "specification fails to provide proper antecedent basis for the recitations (or essentially similar recitations) a 'user-specific type field', 'wherein the outer Ethernet header comprises a user-specific type field,' as found recited within claims 5-7, 9, 18, 30, 35, 36, and 38." (Office Action, p. 3.)

Claims 5-7, 9, 18, 30, 35, 36, and 38 were rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. Specifically, the Office Action states that the "Applicant has not clearly pointed out where the new (or amended) claim is supported, nor does there appear to be a written description of the claim limitations in the application as filed (see above objection to the specification)." (Office Action, p. 3.)

Claims 5 and 30 have been amended to recite "wherein the outer Ethernet header comprises a user-specific type." Claims 9 and 18 recite "whether an Ethernet type field from the first Ethernet packet comprises a user-specific Ethernet type."

The specification provides proper antecedent basis for the elements of claims 5, 9, 18, and 30. Paragraph [0060] of Applicants' specification recites:

When the security processor receives a packet 60 with the security processor's address in the DA field of the outer header 66, the security processor may check the Ethernet type field 62 to determine how to process the packet header. A company such as Broadcom Corporation may have a unique registered Ethernet type 62 that is used to define in-band packet communication.

Thus, the specification describes that the Ethernet type field 62 of a packet may include a type uniquely registered to a user (e.g., a company such as Broadcom). Accordingly, the recitation "user-specific type" in claims 5, 9, 18, and 30 is supported by at least ¶ [0060] of the specification.

Applicants note that claims 6, 7, 35, 36, and 38 do not include the recitations of "a user-specific type field", "wherein the outer Ethernet header comprises a user-specific type field," or similar recitations.

Based on the foregoing, reconsideration and withdrawal of the objection to the specification and the rejection under 35 U.S.C. § 112, first paragraph are respectfully requested.

Rejections under 35 U.S.C. § 103

Bryers, Hadzic, and Mercer

Claims 1-4, 16, 17, 22-29, 31, and 35-40 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bryers *et al.*, U.S. Patent Published Application No. 2003/0126233 ("Bryers"), in view of Hadzic, U.S. Patent No. 7,130,303 ("Hadzic"), and

in further view of Mercer *et al.*, U.S. Patent Published Application No. 2003/0018908 ("Mercer"). Applicants respectfully traverse this rejection.

The combination of Bryers, Hadzic, and Mercer fails to teach or suggest each and every feature of amended independent claims 1, 17, 26, and 37. As described in Applicants' specification, "[e]ach device builds the packet that will be sent back to the device. The security processor may then simply strip the outer header and the security header (F, C, MCW), modify the packet data (SAP, MAP, MEP, DATA), if applicable, and send the inner packet back to the device." (Specification, ¶ [0065].) "The inner Ethernet header is a header that may be used to return the packet to the original sender." (Specification, ¶ [0064].)

The Office Action acknowledges that Bryers fails "to explicitly recite that one Ethernet packet may comprise another Ethernet packet." (Office Action, p. 5.) The Office Action alleges that Hadzic "discloses the practice of generating an Ethernet packet comprising another Ethernet packet for delivery over large distributed systems." (Office Action, p. 5.) Hadzic describes "encapsulating contents of each original Ethernet packet, which originates in a first Ethernet network of an entity, e.g., an enterprise, a customer, or a network service provider, within another Ethernet packet which is given a source address that identifies the new encapsulating packet as originating at a port of a switch that is located at the interface between the first Ethernet network in which the original Ethernet packet originated and a second Ethernet network, e.g., the metropolitan area Ethernet network, which is to transport the encapsulating packet" to the destination. (Hadzic, 1:44-53.) Thus, Hadzic describes the use of encapsulation for transporting packets from an originating network to a destination network via an intermediate network, such as a metropolitan area Ethernet network.

Thus, Hadzic does not teach or suggest:

"a first Ethernet packet from an originating device, the first Ethernet packet comprising a second Ethernet packet and a memory address associated with a security association, wherein a destination address of the second Ethernet packet is an address of the originating device," as recited in amended independent claim 1;

"the first Ethernet packet comprising a second Ethernet packet having a header pre-populated with an address of the originating device as the destination address, and the first Ethernet packet further comprising a memory address associated with a security association" and "returning the second Ethernet packet to the originating device, wherein the returned second Ethernet packet includes the pre-populated header and the encrypted packet data," as recited in amended independent claim 17;

"generating a first Ethernet packet, wherein the first Ethernet packet includes a header having an address of the originating device as the destination address and packet data ... generating a second Ethernet packet encapsulating the memory address and the first Ethernet packet, wherein the second Ethernet packet includes a header having an address of the security processor as the destination address, wherein a portion of the packet data of the generated first Ethernet packet is cryptographically processed by the security processor and the portion of the packet data is replaced with the cryptographically processed data when the first Ethernet packet is returned to the originating device," as recited in amended independent claim 26;

and "a first Ethernet packet received from an originating device, the first Ethernet packet comprising a second Ethernet packet including a header having an address of the originating device as the destination address and a memory address associated with a security association" and "a unit configured to transmit the second

Ethernet packet, including the at least a portion encrypted by the encryption processor, to the originating device" as recited in amended independent claim 37.

Mercer fails to overcome these deficiencies of Bryers and Hadzic. Accordingly, for at least these reasons, independent claims 1, 17, 26, and 37 are patentable over the combination of Bryers, Hadzic, and Mercer. Claims 2-4 and 16 dependent from independent claim 1; claims 22-25 depend from independent claim 17; claims 27-29, 31, 35, and 36 depend from independent claim 26; and claims 38-40 depend from claim 37. For at least the above reasons, and further in view of their own features, dependent claims 2-4, 16, 22-25, 27-29, 31, 35, 36, and 38-40 are also patentable over the combination of Bryers, Hadzic, and Mercer. Reconsideration and withdrawal of the rejection are therefore respectfully requested.

Bryers, Hadzic, Mercer, and Stevens

Claims 5-7, 9, 18-21, 30, 32, and 33 were rejected under 35 U.S.C. § 103(as) as allegedly being unpatentable over the combination of Bryers, Hadzic, and Mercer, an in further view of Stevens, *TCP/IP Illustrated* ("Stevens"). Applicants respectfully traverse this rejection.

Claims 5-7 and 9 depend from claim 1; claims 18-21 depend from claim 17; and claims 30, 32, and 33 depend from claim 26. Stevens does not overcome the deficiencies of Bryers, Hadzic, and Mercer relative to amended independent claims 1, 17, and 26 described above. For at least these reasons, and further in view of their own features, dependent claims 5-7, 9, 18-21, 30, 32, and 33 are patentable over the combination of Bryers, Hadzic, Mercer, and Stevens. Reconsideration and withdrawal of the rejection are therefore respectfully requested.

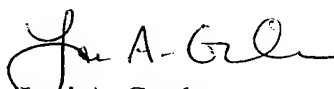
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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